

Authority: Board of Health Item 26.15, as adopted by City of Toronto Council on November 30, December 1, 2, 4 and 7, 2009

Adopted by Council: December 4, 2009

CITY OF TORONTO

BY-LAW No. 1237-2009

To amend City of Toronto Municipal Code Chapter 738, Street Food, Healthier to address various issues in the Toronto a la Cart Pilot Program.

WHEREAS City Council, at its meeting of December 2, 2008, adopted Executive Committee Item 26.21, establishing Municipal Code Chapter 738, Street Food, Healthier, and authorizing a pilot program for the vending of healthier foods in locations on City streets and other City property; and

WHEREAS Chapter 738 provides that the Medical Officer of Health shall prepare an annual report on the status of the pilot project and shall have the authority to make adjustments in the program as may be required during the pilot program, provided that any adjustments made shall be reported as part of the required annual report; and

WHEREAS City Council, after consideration of the annual report, has approved certain recommended amendments to the pilot program;

The Council of the City of Toronto HEREBY ENACTS as follows:

1. Chapter 738, Street Food, Healthier, of The City of Toronto Municipal Code is amended by:
 - A. Deleting Appendix A (“Toronto a la Cart Locations”) and replacing it with the Appendix attached as Attachment 1 to this by-law.
 - B. Adding the following definition to § 738-1 in alphabetical order:

GENERAL MANAGER – The general manager of the Economic Development, Culture and Tourism Division of the City of Toronto or his or her delegate, or any person acting under his or her authority.
 - C. Replacing the references to “Medical Officer of Health” where it appears in the chapter and replacing them with a reference to “General Manager”, with the exception of the references as contained in the definition of “Healthier Foods” under § 738-1 and Subsections 738-3C(5), 738-3C(6) and 738-9F(29)(a).

D. Deleting Subsection 738-9F(17) and replacing it with the following:

The licensee shall personally operate the cart for a minimum of 50 percent of the hours of operation measured on a weekly basis.

ENACTED AND PASSED this 4th day of December, A.D. 2009.

SANDRA BUSSIN,
Speaker

ULLI S. WATKISS
City Clerk

(Corporate Seal)

ATTACHMENT 1

**APPENDIX A
TORONTO A LA CART
LOCATIONS**

Ward	Public Squares and Parks Locations	Location Fee (excludes GST)
20	Metro Hall - 1 spot	\$7,500
20	Roundhouse Park	\$5,000
23	Mel Lastman Square (south of fountain)	\$7,500
23	Mel Lastman Square (north of fountain)	\$7,500
27	Nathan Phillips Square - East side	\$10,000
27	Nathan Phillips Square - West side	\$7,500
27	Queen's Park (City owned parkland) west side of Queen's Park Crescent West at Hoskin Avenue (signalized intersection)	\$5,000
20	HTO Park	\$5,000
38	Albert Campbell Square – Scarborough Civic Centre	\$7,500

Ward	On-Street Locations	Location Fee (excludes GST)
22	1 St Clair Ave E St Clair Ave E, south side east of Yonge St	\$5,000
19	901 King Street King St W, south side east of Strachan Ave West	\$5,000
22	2263 Yonge Street Eglinton Ave E, north side, east of Yonge St Street	\$5,000
12	2687 Eglinton Avenue West Bicknell Ave, east side, south of Eglinton Ave W	\$5,000
38	3050 Lawrence Avenue East Lawrence Ave E, north side, west of McCowan Road	\$5,000
23	4900 Yonge Street West side approximately 25.0 metres north of Elmhurst Street, adjacent to road, facing 4900 Yonge Street approximately 8 metres north of existing transit shelter	\$5,000
23	5095 Yonge Street Outer boulevard, facing 5095 Yonge Street adjacent to the LCBO at the north-most entrance door to the Empire Theatre	\$5,000
23	5576 Yonge Street Curb side, facing 5576 Yonge Street, adjacent to the planter, approximately 14 metres north of the north curb of Tolman Street	\$5,000
20	University Avenue & College Street North of College Street on the west side of University Avenue adjacent to the curb, immediately south of the TTC Subway Entrance and north of the street lighting pole in that location.	\$5,000
27	483 Bay Street Northeast corner: East of Bay Street on the north side of Albert Street approximately 10 metres from the curb of Bay Street.	\$5,000
28	King & Bay South East corner, outside of Commerce Court	\$7,500

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20	150 King Street West	North East corner facing King Street West approximately 28.4 metres east of the east curb at King and University	\$5,000
27	525 University Avenue ¹	North East corner of University Avenue and Elm Street. Approximately 15 metres north of the north curb line of Elm Street	\$5,000
27	900 Bay Street	Between Wellesley Street West and Grosvenor Street. West side of Bay Street opposite Breadalbane Street. Approximately 8 metres south of the main entrance to 900 Bay Street (Macdonald Block)	\$7,500

¹ Enclosure must be restricted to 1.22 metres measured from the rear face of the cart.